

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

LUIS ACEVEDO GARCIA, et. al.

Plaintiffs

vs.

HON. ROBERTO VERA MONROIG, et al

Defendants

CIVIL NO. 97-2639 (JP)

Damages, Injunctive Relief  
and Discrimination Trial by  
Jury Requested

**MOTION REQUESTING RESCHEDULING OF SETTLEMENT/STATUS  
CONFERENCE  
DUE TO CONFLICT IN CALENDAR**

TO THE HONORABLE COURT:

COME NOW codefendants, Hon. Roberto Vera Monroig and Irma González, in their personal capacities, through their undersigned counsels, and respectfully state and pray:

By Order entered on June 1, 2004, this Honorable Court scheduled a Settlement/Status Conference for Wednesday June 9, 2004 at 2:00 pm, in order to discuss (i) the breakdown of the judgment amount of December 3, 2001, (ii) the method to be used for its payment, and (iii) the possible settlement of the claims of the remaining 62 plaintiffs. The Honorable Court further ordered the parties to meet prior to the Conference in order to discuss and prepare a proposal for the payment of the above-mentioned judgment. The Court also ordered the parties to bring to the Conference any information that could help the Court in its determination.

By Order entered on June 2, 2004, the Honorable Court rescheduled the Settlement/Status Conference for Wednesday June 9, 2004 at 3:00 pm.

The appearing defendants hereby request that the Settlement/Status Conference be rescheduled for June 23, 2004. The reason for this request is that the undersigned counsel has a trial with Judge Fusté in the case of Evymar Hiraldo Principe v. Pierre Vivoni, Civil No. 02-1835 (JAF) that commences on Tuesday June 8, 2004, and is expected to continue on a daily basis for at least three (3) days or until June 10, 2004. The undersigned counsel also has a trial-like administrative hearing before the P.R. Department of Health scheduled for June 16<sup>th</sup>, a Status Conference with Judge Pérez Giménez and a deposition ordered by Judge Domínguez on June 17<sup>th</sup>, and a Trial with Judge Consuelo Cerezo commencing on June 24<sup>th</sup> and which is scheduled to last for at least five (5) full days. The undersigned also has various meetings already scheduled for the weeks prior to June 24<sup>th</sup>. Based on this calendar, the undersigned believes that Wednesday June 23<sup>rd</sup> would be a much better date for holding the Conference.

In addition to the conflict in its calendar, the undersigned counsel submits that it is in the process of consulting the P.R. Justice Department regarding approval of indemnity benefits under Law No. 9. This process will take some time, since the Committee overseeing Law No. 9 benefits will have to examine and evaluate various facts that are particular to the instant case. However, it is in the best interest of the parties and of the Honorable Court to await until the Law No. 9 Committee issues its response. Upon receiving this response, the parties will better understand the options available to pay the current judgment and to reach a global transaction involving all the plaintiffs, including the 62 plaintiffs currently awaiting trial. Plaintiffs will not be prejudiced by having to await this time, since their judgment continues to accrue post-judgment interests.

**WHEREFORE**, it is respectfully requested from this Honorable Court reschedule the pending Settlement/Status Conference for June 23, 2004.

RESPECTFULLY SUBMITTED.

IT IS HEREBY CERTIFIED that a true and exact copy of this motion has been sent by e-mail to: **Israel Roldán-González, Esq.**, [roldanlaw@coqui.net](mailto:roldanlaw@coqui.net); **Johanna Emmanuelli Huertas, Esq.** and **Jorge Martínez Luciano, Esq.**, [poalaw@caribe.net](mailto:poalaw@caribe.net). I also hereby certify that there are no parties or counsels requiring notice by mail.

In San Juan, Puerto Rico, this 8<sup>th</sup> day of June, 2004.

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